

DREIER LLP
Ira S. Sacks
Melanie J. Sacks
499 Park Avenue
New York, NY 10022
(212) 328-6100

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/28/2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CJ APPAREL GROUP, LLC

Plaintiff,

v.

RUSSELL NEWMAN, INC.,

Defendant.

Case No. 07 CV 6413 (DC)

STIPULATION OF
DISCONTINUANCE PURSUANT
TO FED. R. CIV. P. 41(a)

WHEREAS, no party is an infant or an incompetent person for whom a committee or conservatee has been appointed, and no person not a party has an interest in the subject matter of the action; and

WHEREAS, the plaintiff CJ Apparel Group, LLC has raised claims in the above-captioned action, which claims have been denied by defendant Russell Newman, Inc., and

WHEREAS, the parties desire to resolve all claims, defenses, and matters raised by each, and

WHEREAS, the parties have entered into a Settlement Agreement and Release ("Settlement Agreement"), pursuant to which they desire to resolve all matters that were raised by each as against the other, and

IT IS HEREBY STIPULATED AND AGREED by all parties through their undersigned counsel that:

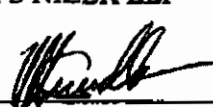
The above-captioned action is hereby dismissed with prejudice and without costs to any party, except that this Court retains jurisdiction over any and all matters arising under or relating to the Settlement Agreement, including, but not limited to, matters relating to the performance, enforcement, interpretation, or breach of the Settlement Agreement.

Dated: July 16, 2008

DREIER LLP


By: Ira S. Sacks
Robert J. Grand
Melanie Sacks
499 Park Avenue
New York, NY 10022
(212) 328-6100
Attorneys for Plaintiff
CJ Apparel, LLC

PHILLIPS NIZER LLP


By: Donald L. Kreindler
Jeremy D. Richardson
666 Fifth Avenue
New York, NY 10103-0084
(212) 977-9700
Attorneys for Defendant
Russell Newman, Inc.

SO ORDERED:


U.S.D.J.

7/28/08